



Attorney Docket No. T9183.A.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:	David W. Buttars	)	
		)	
TITLE:	BIB DEVICE FOR	)	
	PROTECTING AGAINST AND	)	
	CHANNELING FLUID	)	
	SPILLS	)	
		)	RESPONSE TO NOTICE TO
SERIAL NO.:	10/769,544	)	FILE MISSING PARTS OF
		)	NONPROVISIONAL
FILED:	January 29, 2004	)	APPLICATION
		)	
EXAMINER:	_____	)	
		)	
ART UNIT:	1772	)	
		)	
		)	

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Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

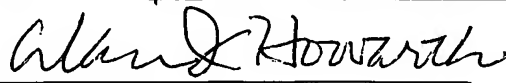
In response to the Notice to File Missing Parts of  
Nonprovisional Application mailed June 18, 2004, applicant responds  
as follows:

  X   Small Entity Status is hereby claimed.

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Certificate of Deposit Under 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the 18<sup>th</sup> day of November, 2004.

  
Alan J. Howarth  
Attorney Registration No. 36,553

X   Pursuant to 37 C.F.R. 1.136(a), it is respectfully requested that the shortened statutory period which was set for responding to the communication dated June 18, 2004, be extended for three months until November 18, 2004.

Please find enclosed herewith the following items for filing in the United States Patent and Trademark Office in connection with the above-identified patent application:

- i. Copy of the Notice to File Missing Parts of Application-Filing Date Granted;
- ii. Petition Under 37 C.F.R. §1.136(a) (for three-month extension of time); and
- iii. PTO Form 2038 in the amount of \$950.00 to cover the filing fee for the above-identified application, the surcharge fee pursuant to 37 C.F.R. § 1.16(e), and the three-month extension fee. These fees have been calculated as follows:

Basic filing fee for a Small Entity	=	\$395.00
_____ Claims in excess of 20 (x \$9)	=	0.00
_____ Independent Claims in excess of 3 (x \$43)	=	0.00
Assignment recordation fee	=	0.00
Surcharge fee for a Small Entity	=	\$ 65.00
Three-month extension fee	=	\$490.00
TOTAL	=	\$950.00

Please debit any additional fees, or credit any overpayment, to Deposit Account No. 50-0836.

The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or to credit any overpayment to Deposit Account No. 50-0836.

x Any additional filing fees required under 37 C.F.R. § 1.16.

x Any patent application processing fees under 37 C.F.R. § 1.17.

The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 50-0836.

x Any patent application processing fees under 37 C.F.R. § 1.17.

— The issue fee set in 37 C.F.R. § 1.18 at or before mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

x Any filing fees under 37 C.F.R. § 1.16 for presentation of extra claims.

Please direct all future correspondence in connection with this application to:

Customer No. 20450

Please direct all telephonic and facsimile communications to:

Alan J. Howarth

Telephone: (801) 255-5335

Facsimile: (801) 255-5338

Please reference the below provided attorney docket number in all communications:

T9183.A.1

Please address all future correspondence in connection with this case to the attention of the undersigned.

Dated this 18<sup>th</sup> day of November, 2004.

Respectfully submitted,



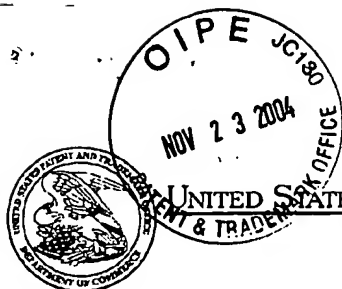
Alan J. Howarth, Ph.D.  
Attorney Registration No. 36,553

Clayton, Howarth & Cannon, P.C.  
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Sandy, Utah 84091  
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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/769,544	01/29/2004	David Butters	T9183.A.1

CONFIRMATION NO. 5844

20450  
 ALAN J. HOWARTH  
 P.O. BOX 1909  
 SANDY, UT 84091-1909

## FORMALITIES LETTER



\*OC000000012960407\*

Date Mailed: 06/18/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

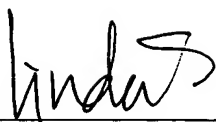
SUMMARY OF FEES DUE:Total additional fee(s) required for this application is **\$900** for a Large Entity

- \$770** Statutory basic filing fee.
- \$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria VA 22313-1450

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 395.00 DP  
 65.00 DP  
 11/24/2004 CCHQJ1  
 01 FC:2001  
 02 FC:2051

*A copy of this notice MUST be returned with the reply.*

A handwritten signature in cursive script, appearing to read "Linda", is positioned above a horizontal line.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE